

It was alleged to be misbranded further in that the label failed to bear an accurate statement of the quantity of the contents; and to bear the common or usual name of the active ingredients, including the quantity, kind, and proportion of alcohol.

On November 26, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

THERAPEUTIC LAMPS

299. Misbranding of infra-red lamps. U. S. v. 7 Infra-Red Lamps. Default decree of condemnation and destruction. (F. D. C. No. 1523. Sample No. 90939-D.)

The labeling of this device contained false and misleading representations regarding its efficacy in the conditions indicated below.

On February 27, 1940, the United States attorney for the Western District of Washington filed a libel against 7 infra-red lamps at Seattle, Wash., alleging that the article had been shipped in interstate commerce on or about July 26, 1939, from Los Angeles, Calif., by the Lenmar Co.; and charging that it was misbranded.

Examination showed that the article consisted of a heating element screwed into a table-type lamp base.

It was alleged to be misbranded in that the following statements appearing in the labeling were false and misleading since they represented that it was efficacious for the purposes recommended; whereas it was not efficacious for such purposes: "Healing rays from the sun * * * they penetrate deep into the flesh, stimulating the nerves and causing greatly increased circulatory action, which destroys infections, rebuilds diseased tissues and promotes bodily health and vitality. * * * Direct application of the lamp's rays on the area of pain will relieve suffering from asthma, neuritis, stiff swollen joints, sinus trouble, and rheumatism. Infra-red radiation, because of its soothing effect, has no equal for deep cellular massage. By its action through direct contact it breaks up congestion indicated by acute pain and poor circulation * * * Heat rays penetrate down into the tissues, muscles, and even to the vital organs bringing comfort and relief. * * * Women experiencing trouble at menstruation will find comforting relief by using this Infra-Red lamp's * * * anemia * * * asthma * * * bronchitis * * * backache * * * bruises * * * catarrh * * * relieves hayfever discomforts * * * cold * * * cramps * * * earache * * * insomnia * * * infection * * * kidney diseases * * * lumbago * * * menstrual pain * * * muscle diseases * * * rheumatism, neuralgia, neuritis, sciatica, neuritis * * * sinus trouble * * * laryngitis * * * toothache * * * stiff neck * * * Infra-Red rays are also very beneficial in the treatment of inflammation of the gall bladder, hysteria, nervous diseases, inflammation of veins, bones, membranes, and inflammation of joints."

On May 29, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

300. Misbranding of Samson Therapeutic Lamps. U. S. v. 55 Samson Therapeutic Lamps. Default decree of condemnation and destruction. (F. D. C. No. 1345. Sample No. 75114-D.)

The labeling of this device contained false and misleading representations regarding its efficacy in the conditions indicated below.

On January 20, 1940, the United States attorney for the District of Minnesota filed libels against 55 of the above-named devices at St. Paul, Minn., alleging that the article had been shipped in interstate commerce within the period from on or about November 25, 1939, to on or about January 2, 1940, by the Samson United Corporation from Rochester, N. Y.; and charging that it was misbranded.

Examination showed that the product was a table-type lamp fitted with a heating element.

The article was alleged to be misbranded in that the following statements appearing in the accompanying circular were false and misleading: "Excellent for relief of arthritis, lumbago, cramps, colds, sprains, etc. The heat rays of the sun are unequaled in health preserving qualities. People whose work confines them inside, where they are unable to enjoy the heat of the sun's rays, suffer from many annoying ailments. Modern science has proved that sunshine is necessary to sound health. As a result, concentrated electric sunshine has been developed to bring the heat of the sun's rays inside when-

ever you want it. Designed by prominent engineers and approved by outstanding health authorities, this therapeutic lamp, used a few minutes daily, brings you health, beauty and vitality. Care of hair. General application of therapeutic rays every night will keep scalp healthy and improve blood circulation * * *. Colds. Apply rays to back of neck and downward along spine to relieve congestion. Cramps * * * rheumatism * * * menstrual pains * * * insomnia * * * backache * * * skin ailments. Therapeutic rays stimulate pores, eliminate all impurities and strengthen tissues. Invaluable in treatment of acne, crow's-feet, dry skin, oily skin, wrinkles, blemishes, etc."

On May 1, 1940, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

VETERINARY REMEDIES

301. Misbranding of Avirem Poultry Remedy. U. S. v. 6 Gallon Bottles and 42 Quart Bottles of Avirem The Food Value Poultry Remedy. Default decree of condemnation and destruction. (F. D. C. No. 1926. Sample No. 15575-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated below and failed to declare the quantity or proportion of alcohol contained in the article.

On May 8, 1940, the United States attorney for the Southern District of Iowa filed a libel against 6 gallon bottles and 42 quart bottles of the above-named product at Wilton Junction, Iowa, alleging that the article had been shipped on or about January 6, 1940, by the Livestock Products Distributors, Kewanee, Ill.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of dextrose, small proportions of magnesium sulfate, sodium hydroxide, sodium chloride, extracts of plant drugs including emodin-bearing drugs such as cascara sagrada, nuxvomica, alcohol (3.9 percent by volume), and water.

The article was alleged to be misbranded in that the following statements appearing in the labeling were false and misleading, since they represented that the article was efficacious for the purposes recommended; whereas it was not efficacious for such purposes: "Rich in Dextrose * * * The Food Value Poultry Remedy * * * Indicated in the treatment of Coccidiosis, Cholera, Typhoid and other Intestinal Infections * * * Daily use in water will help to prevent disease and keep poultry healthy. * * * for preventive purposes and to build resistance. Should intestinal disturbance occur the proportions should be increased to two tablespoonfuls to the gallon, reducing the proportions when conditions are again favorable; Coccidiosis and Other Intestinal Disorders * * * In severe cases * * * After conditions have returned to normal it is recommended to use one tablespoonful of Avirem to the gallon of drinking water daily for preventative purposes; Worms—To build resistance and minimize worm infestation use Avirem in the drinking water constantly. * * *; Respiratory Diseases * * * In severe cases * * * Avirem should be used regularly, one tablespoonful to the gallon of drinking water during the fall and winter as a preventative treatment; Blackhead—Noticeably sick birds * * * continuous use of Avirem in the drinking water the sick birds * * * It is still worth remembering that an ounce of prevention is worth a pound of cure. When droopiness or loss of color or appetite are noticed in poultry of any age it is a danger sign. Separate unthrifty birds from the flock for special treatment, and also feed Avirem to those remaining to prevent trouble. Avirem is a proven remedy with a food value induced by the dextrose content, insuring a quick pick-up and sustained resistance by its daily use in the drinking water. Avirem will help your laying program. Increased production has been noticed by users everywhere."

On November 20, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

302. Misbranding of "A Remedy Erroneously Sometimes Called Dry Dip." U. S. v. Verney H. Heumes (German Laboratories). Plea of guilty. Fine, \$25 and costs. (F. D. C. No. 941. Sample Nos. 55888-D, 55889-D.)

The labeling of this product bore false and misleading representations regarding its effectiveness in the conditions indicated below.

On December 2, 1940, the United States attorney for the Northern District of Iowa filed an information against Verney H. Heumes, trading as the German Laboratories, Cedar Rapids, Iowa, alleging shipment on or about August 18 and November 1, 1939, from the State of Iowa into the State of Illinois, of quantities of the above-named product which was misbranded. The label bore the words